
NO. PD-0257-21

FILED
COURT OF CRIMINAL APPEALS
12/7/2021
DEANA WILLIAMSON, CLERK

IN THE COURT OF CRIMINAL APPEALS OF THE STATE OF TEXAS

DANNA PRESLEY CYR,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

On Appeal from Cause No. 18-4835
in the 106th Judicial District Court of
Gaines County, Texas

APPELLANT'S FIRST MOTION FOR EXTENSION OF TIME TO
FILE APPELLANT'S BRIEF ON THE MERITS

Unopposed

TO THE HONORABLE JUDGES OF THE COURT OF APPEALS:

Appellant, Danna Presley Cyr("Appellant"), files this First Motion for Extension of Time to File Appellant's Brief on the Merits as permitted by Texas Rule of Appellate Procedure 10.5(b).

1. The Appellant's Brief is due December 3, 2021.
2. Appellant seeks a 15-day extension of time to file the Appellant's Brief, which would make this brief due on December 20, 2021 (the 15th day is Saturday,

December 18, 2021; as a result, Appellant requests that the Court designate the following Monday, December 20, 2021, as the due date for her brief).

3. This is Appellant's first request for an extension of time to file a brief.

4. Including this brief, counsel has the following briefs with due dates: (a) *Philip Velazquez v. SOT*, appellant's brief due to the Seventh Court of Appeals in Amarillo on December 13, 2021 (this case involves a record totaling 1,754 pages, numerous exhibits, and multiple potential issues for appeal; it is anticipated that a brief will be filed and no further extensions sought); (b) *Chance Copeland v. SOT*, appellant's brief due to the Seventh Court of Appeals in Amarillo on December 20, 2021 (this is an appeal of a murder conviction and likewise involves an extensive record; it is anticipated that an additional 30 day extension will be sought to allow time to complete the briefs in *Cyr* and *Velazquez*).

5. Including the numerous matters involved in a full-time law practice, much of which lies outside a calendar, counsel has had the following matters set in the weeks leading up to the due date for this brief:

- a. *SOT v. Steve Alarcon*, reviewed CAC interviews with expert in Gaines County, Texas, for a case set Number 3 in the 106th Judicial District Court of Gaines County, Texas, for a jury trial starting December 6, 2021. Counsel was required to prepare for this case as if it were going to trial even though it is now apparent that the case will not be reached.
- b. *The State of Texas v. Marcos Guerrero*, plea hearing in the Andrews County Court and the 109th Judicial District Court in Andrews Texas on November 23, 2021.
- c. *IMOMO Bryan Gonzales and Berenice Catano*, contested hearing on temporary orders in a divorce in the 106th Judicial District Court of Gaines County, Texas, on December 2, 2021.

- d. *IMOMO Pedro Junio Porras and Lorena Porras*, default final hearing in a divorce in the 106th Judicial District Court of Gaines County, Texas, on December 2, 2021.
- e. *The SOT v. Delton Paredas*, pretrial hearing in the 385th Judicial District of Midland County on December 2, 2021.
- f. *In the Interest of Cueto*, inventory, appraisement, and list of claims due in guardianship case.
- g. *The Estate of Black*, hearing in dependent administration in the Gaines County Court of Gaines County, Texas, on December 6, 2021.
- h. *SOT v. Carlos Blanco* and *SOT v. Christian Villela*, guilty plea hearings in the 109th Judicial District Court of Andrews County on December 7, 2021.
- i. Pretrial docket involving nine felony cases in the 121st Judicial District Court of Yoakum County on December 8, 2021.

6. For these reasons, Appellant requests a 15-day extension of time to file his Appellant's Brief on the Merits.

WHEREFORE, PREMISES CONSIDERED, Appellant, Danna Presley Cyr, requests that this Court grant her First Motion for Extension of Time to File Appellant's Brief on its Merits, grant her 15 additional days to file her brief, and grant her any other relief to which she may be entitled.

Respectfully Submitted,

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/s/ Paul E. Mansur

Paul E. Mansur

Attorney for Appellant

Certificate of Conference

I certify that I have conferred with counsel for the State Prosecuting Attorney, John Messinger, about this motion, and Mr. Messinger indicated to me that he was not opposed.

/s/ Paul E. Mansur
Paul E. Mansur

Certificate of Service

I certify that on December 3, 2021, I served a true and correct copy of Appellant's Motion for Extension of Time to File Appellant's Brief on its Merits on counsel for the State Prosecuting Attorney, John Messinger, via EFile.

/s/ Paul E. Mansur
Paul E. Mansur

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

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